

**REMARKS / ARGUMENTS**

Claims 1-2, 6, 9-14, 17-18, 21-25, 28-35 remain pending in this application. Claims 3, 7, 14, 19 and 26 have been canceled without prejudice or disclaimer. No new claims have been added.

**Drawings**

Applicants request acknowledgment of the corrected formal drawings filed with the previous amendment dated August 2, 2006.

**35 U.S.C. §§102 and 103**

Claims 1, 2, 25, 33 and 35 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yamamoto (U.S. Pub. No. 2002/0152339). Claims 3, 6, 7, 26, 28 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamamoto in view of Brewer et al (U.S. Patent No. 6,336,163). Claims 9-12 and 29-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamamoto in view of Achiwa et al (U.S. Pub. No. 2003/0009438). Claims 13, 14 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hoogterp (U.S. Pub. No. 2005/0210218) in view of Yamamoto. Claims 15 and 17-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hoogterp in view of Yamamoto as applied to claims 13, 14 and 24, and further in view of Brewer et al. Claims 21-23

stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hoogterp in view of Yamamoto as applied to claims 13, 14 and 24, and further in view of Achiwa et al. These rejections are traversed as follows.

In order to expedite prosecution, the claims have been amended to recite that if a particular volume is to be protected and if a retention period is defined for the volume, the data in that volume remains unchanged until expiration of the retention period. None of the cited references disclose this feature of the presently claimed invention.

Yamamoto permits write access to stored data from a client that acquires the exclusive access authority for a particular volume such as by issuing a SCSI lock command and prevents write access from other clients until the lock command is released. Brewer et al disclose an automated retrieval library with virtual storage for identifying particular cartridges in the library to protect the data in a virtual volume from overwriting in import and export operations (see Abstract). A database 38 includes a cartridge table that provides data regarding the status of all volumes in the tape library 10 (see column 6, lines 1-3). A host may assign volumes into logical groups having common attributes including "scratch volumes, expiration dates, common user, type of volume, host processor related to a job or set of jobs, volumes to be transferred or migrated to a scratch category and so forth" (see column 6, lines 6-13). However, this portion merely refers to how long data is stored in the library

system and does not disclose or suggest preventing writing of data to any particular volume in the library system until expiration of a retention period.

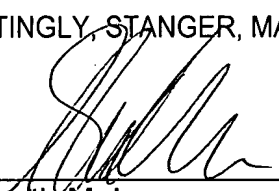
On the other hand, the pending claims are directed to a storage system in which data in a particular volume can be protected against writing for a set period of time. The present invention also is directed to a storage system having SAN and NAS interfaces. As such, it is submitted that the pending claims patentably define the present invention over the cited art.

### **Conclusion**

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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